

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

IN RE:

HECTOR QUINTERO, JR. xxx-xx-9121

CASE NUMBER 12-60164

xxx-xx-0000

1370 FM 839 NORTH

REKLAW, TX 75784

DEBTOR(S)

**CHAPTER 13 TRUSTEE'S MOTION TO MODIFY DEBTOR(S)' CONFIRMED
PLAN TO CEASE FURTHER DISBURSEMENT TO CREDITOR**

NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS AN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN TWENTY-EIGHT (28) DAYS FROM DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

To the Honorable Judge of Said Court:

John J. Talton, Chapter 13 Trustee, hereby moves the Court to modify the terms of the confirmed plan pursuant to 11 U.S.C. § 1329 and LBR 3015(h) on the following ground(s) and/or reason(s):

1, The Trustee requests that the terms of the confirmed plan be modified to provide for no further disbursements by the Trustee to the following Creditor other than the payments of principal and interest, if any, heretofore paid by the Trustee to said Creditor:

Creditor

756913

CHEROKEE CAD

2777 N. STEMMONS FREEWAY, STE. 1000

DALLAS, TX 75207

Court Claim No.

03

TrusteeClaimNo

1

2. No further disbursements should be made by the Trustee to the Creditor for one or more of the following reasons:

(x) The creditor, its agent(s) or representative(s), and/or the Debtor(s) have notified the Trustee that the claim in question has now been paid in full.

() The creditor, its agent(s) or representative(s), and/or the Debtor(s) have notified the Trustee that the automatic stay has lifted and that the creditor, its agents, or representative(s) no longer desires to receive disbursements from the Trustee pursuant to the terms of the Debtor(s)' confirmed plan.

() Other:

If applicable, the balance of the claim, if any, is or has been paid direct from other sources. A true and corrected copy of the notification to the Trustee is attached hereto as Exhibit "A" and incorporated herein by reference.

3. All remaining terms of the last Confirmation Order herein entered as modified, if applicable, by the approved Trustee's Recommendation Concerning Claims, orders on objections to claims orders, and/or other Court orders are not otherwise changed by this Motion.

4. The only affected creditor is the one named herein and no other creditors need be notified.

WHEREFORE, the Trustee requests the Court to grant his Motion to Modify Debtor(s)' confirmed plan to provide no further disbursement to the Creditor and for such other and further relief for which the Trustee may show himself entitled.

Respectfully submitted,

/s/ John J. Talton

John J. Talton, SBN 19629700 Chapter 13 Trustee
Lloyd T. Kraus, SBN 24066773 Staff Attorney
110 N. College Avenue, Ste 1200
Tyler, TX 75702

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Motion has been served upon the following parties in interest by mailing a copy of same to them via first class mail or electronically on 7/2/15.

GORDON MOSLEY
4411 OLD BULLARD RD #700
TYLER, TX 75703

HECTOR QUINTERO, JR.
1370 FM 839 NORTH
REKLAW, TX 75784

Cherokee County Appraisal District
P O Box 494
Rusk, TX 75785-0494

Linebarger et al
2777 N. Stemmons Freeway, Ste. 1000
Dallas, TX 75207

McCreary et al
P O Box 1269
Round Rock, TX 78680

/s/John J. Talton
John J. Talton